

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DAVID CLARK,

Plaintiff,

vs.

KELLOGG USA LLC,

Defendant.

8:20CV506

**AMENDED
CASE PROGRESSION ORDER**

This matter comes before the Court on Defendant's Unopposed Motion to Modify Case Progression Order and Continue Planning Conference ([Filing No. 26](#)). After review of the motion, the Court finds good cause to grant the requested extensions. Accordingly,

IT IS ORDERED that Defendant's Unopposed Motion to Modify Case Progression Order and Continue Planning Conference ([Filing No. 26](#)) is granted and the Case Progression Order ([Filing No. 11](#)) is amended as follows:

- 1) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **January 13, 2022**.
- 2) The planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings is set before the undersigned magistrate judge on **January 14, 2022**, at **9:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 3) The deadline for filing motions to dismiss and motions for summary judgment is **February 14, 2022**.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **February 14, 2022**.
- 5) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 18th day of August, 2021.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge